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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,283	10/06/2000	Frank Steegmans	Q60971	8493

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EXAMINER

TRAN, PHILIP B

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/680,283

Applicant(s)

STEEGMANS ET AL.

Examiner

Philip B Tran

Art Unit

2155

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 15 February 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: None.
Claim(s) objected to: None.
Claim(s) rejected: 1-18.
Claim(s) withdrawn from consideration: None.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

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Continuation of 11. does NOT place the application in condition for allowance because: In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F. 2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F. 2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Applicant obviously attacks references individually without taking into consideration based on the teaching of combinations of references as shown in the following section of 35 USC § 103 rejection.

Zen teaches a method and system for accessing a service platform such as Telecommunications Information Networking Architecture (TINA-based) service platform via an Internet browser session having Java components exchanging information between the end user and the Internet application provider [see Abstract and Fig. 2] comprising when a user tries to use a service of said service platform by contacting said web server of said content provider within a certain browser session, detecting whether or not said certain browser session is already associated to a related service session. For example, Zen discloses usage phase during a service session where the End User transparently interacts the Internet Application Provider through dedicated end-to-end connections via the SISTINA or TINA-like retailer [see Fig. 2 and Secs. 2 to 2.3]. In addition, Zen further teaches if said certain browser session is already associated to said related service session, performing predetermined actions related to said service session. That is, Zen discloses performing services such as billing and charging during service session [see Fig. 2 and Secs. 2.2 and 2.5]. Moreover, Zen teaches if said certain browser session is not associated to said related service session, returning a web-page containing an applet. For example, Zen discloses the end user downloads Java software to makes browser TINA capable such as applet for supporting functional interaction and remote invocation in order to realize session management [see Secs. 2 and 2.1] to guide an associated browser of the user going through a logon process for said related service session such as access phase during a service session where the session is established by the end user logon and authentication procedure [see Fig. 2 and Secs. 2 and 3]. Furthermore, Zen teaches said user accessing said service session via said certain browser session. For example, Zen discloses integration of TINA-based and Internet associated with web-browsing session having Java components exchanging information between the end user and the Internet application provider and allowing user accessing the service session manager (SSM) at the SISTINA or TINA-like retailer [see Abstract and Fig. 2 and Secs. 2.2 and 4].

Zen does not explicitly teach installing a servlet at a web-server of a content provider having access to said service platform and detecting by said servlet whether or not certain browser session is already associated to a related service session. However, Zen does teach the use of Java technology on the Web server side in an effort for the support of the interaction between the Web server and the web browser via the SISTINA server or SISTINA retailer [see Zen, Figs. 1-2 and Sec. 2.3]. This suggests that there is a use of servlet as a Java program running on the Web server.

Manione, in the same field of TINA service architecture for the Internet-Telecom service scenario endeavor, discloses a servlet at a web-server of a provider/retailer domain having access to the TINA service platform and interacting with the browser on the User Application Domain side or Java UAP for session services such as event logging and session managing [see Manione, Figs. 1-2 and Sec. II. B on Page 25 to the left column of Page 26 and Sec. III on the right column of Page 26 to the left column of Page 27]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use of servlet installed at the Web server having access to the TINA service platform such as TINA, disclosed by Manione, into the TINA-based service integration with the Internet disclosed by Zen, in order to serve the User Application and to host the backend procedures on the provider/retailer side or server side for interacting with other objects of the service platform in session management with the user domain [see the left column of Page 27 and the left column of Page 29].

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., providing central authentication via a guided servlet entry) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In addition, there is no suggestion of requirement in performing those steps for accessing a service platform via an Internet browser session in sequence. Moreover, "returning a web-page containing an applet" does not mean that an applet is launching on a browser. There is no request mentioned at all, for example in claim 1, so it would be unclear how and when an applet initiates re-request of service by initiating a re-contacting of web-server.

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